

**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

Ent: 309534 - Pg 1 of 13  
Date: 6/23/2008 12:26 PM  
Fee: \$0.00 NO CHARGE  
Filed By: RGL  
CALLEEN B PESHELL, Recorder  
Tooele County Corporation  
For: STATE OF UT GOVERNERS OFFICE

**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**

**Know ye,** This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Tooele County as it pertains to the highway located in Tooele County known as Grassy Mountain N Road; County Road Number: tc02267; State Geographic Information Database (SGID) Road Identification Number: RD230050. Total road length is 2.84 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 20<sup>th</sup> day of June, 2008.

By the Governor's Designee

  
John Harja


### CERTIFICATION

State of Utah                     )  
   : ss  
County of Salt Lake         )

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

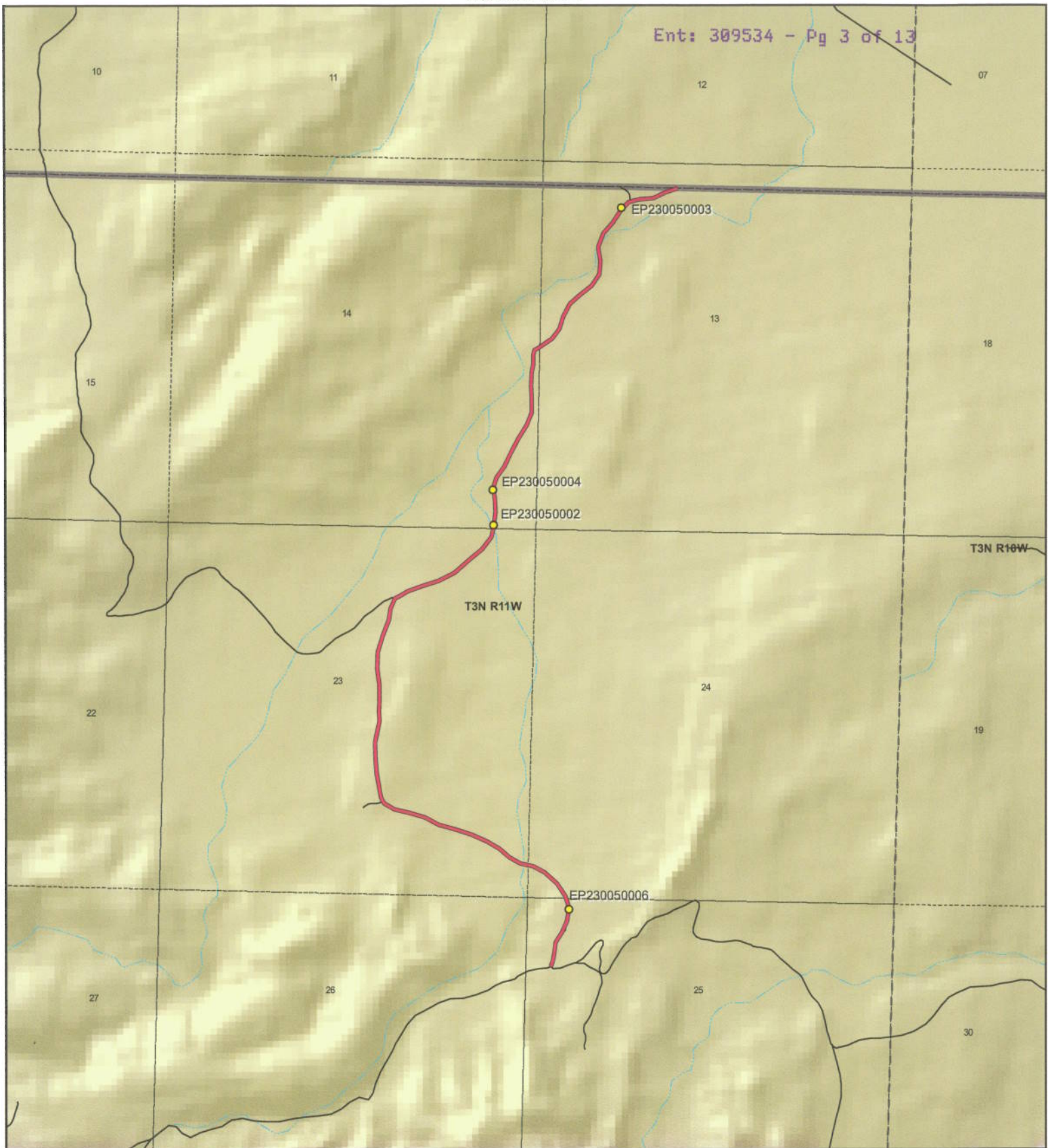
Dated this 20<sup>th</sup> day of June, 2008.



  
Notary Public



Ent: 309534 - Pg 3 of 13



1:22,390

1 inch equals 0.4 miles



### Grassy Mountain N Road - Tooele County SGID RD\_ID RD230050

#### Land Ownership Categories

- |  |   |
|--|---|
| Yellow diamond: BLM                        | Green diamond: Wilderness                   |
| Pink diamond: Private                      | Purple diamond: UDWR Wildlife Reserve       |
| Blue diamond: SITLA, State Trust Land      | Dark blue diamond: DOD, Military            |
| Green diamond: USFS, National Forest       | Light blue diamond: State Sovereign Land    |
| Blue diamond: State Parks and Recreation   | Pink diamond: National Recreation Area      |
| Orange diamond: Tribal, Indian Reservation | Green diamond: USFWS, Natl. Wildlife Refuge |
| Light blue diamond: NPS, National Park     |   |

#### Transportation Network

- |  |
|--|
| Red line: Grassy Mountain N Road   |
| Red dashed line: Title V: Issued Or Under Consideration By BLM Or County |
| Black line: Other Roads  |
| Yellow dot: Photo Event Point  |
| Black dashed line: Section = 1 Mile                                      |

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Jun 17, 2008





Attachment 2

Ent: 309534 - Pg 4 of 13



EP230050002



EP230050003



EP230050004



EP230050006

EP000000000

EP000000000

*Grassy Mountain N Road - Tooele County*  
**SGID RD\_ID RD230050**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
June 18, 2008



### Attachment 3

#### **Beginning & Ending Points and Township, Range, and Section References For:**

**Popular Name:** Grassy Mountain N Road

**County:** Tooele

**County Road Number:** tc02267

**State Geographic Information Database (SGID) Road Identification Number:** RD230050.

**Total Road Length:** 2.84 miles more or less.

**Beginning at a point** on the road centerline located at 40 degrees 58 minutes 09.07 seconds North Latitude and -113 degrees 02 minutes 046.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,213,382.1 feet and Y = 7,525,497.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 40 degrees 59 minutes 59.81 seconds North Latitude and -113 degrees 02 minutes 026.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,215,139.5 feet and Y = 7,536,676.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 3 North Range 11 West, Section(s) 13,14,23,24,25, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

## Attachment 4 Road Centerline Description Cover Page(s)

**Popular Name:** Grassy Mountain N Road

**County:** Tooele

**County Road Number:** tc02267

**State Geographic Information Database (SGID) Road Identification Number:** RD230050.

**Total Road Length:** 2.84 miles more or less.

**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).**

<b>Road-Segments Listed by SGID Road Identification Number (RD ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD230050</b>	<b>001</b>	<b>BLM</b>	<b>2.84 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>2.84</b>	<b>_____</b>

\* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5



**AFFIDAVIT OF GERALD E. BERTAGNOLE**

**GRASSY MOUNTAIN NORTH ROAD**

**COUNTY ROAD NUMBER tc02267**

**TOOELE COUNTY, UTAH**

State of Utah                                 )  
  : ss.  
County of Tooele                            )

GERALD E. BERTAGNOLE, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. My family has owned property in Tooele County since 1933. I have had grazing allotments in various parts of Tooele County since 1936 and continuing to the present.

2. I have traveled and am familiar with a road in Tooele County known as Grassy Mountain North Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1930s it followed the same route as in 2007 when I last observed it. Attached is a Tooele County map showing Grassy Mountain North Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1930s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by



various means, including cars, pickups, ATVs, military vehicles and jeeps. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was so used in 2007.

4. Throughout the time period from the late 1930s to 2007, I have used the road myself for livestock operations and travel in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus hunting, camping, recreation, government access and communication towers access.

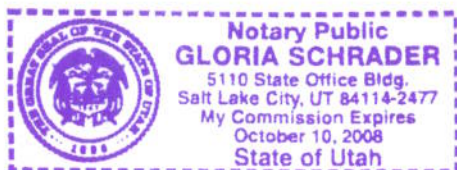
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s.

7. Prior to 1976, I observed the graded surface of the road. The road is now partially paved.

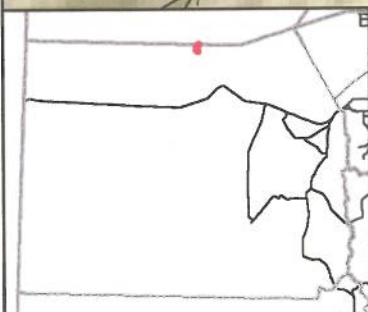
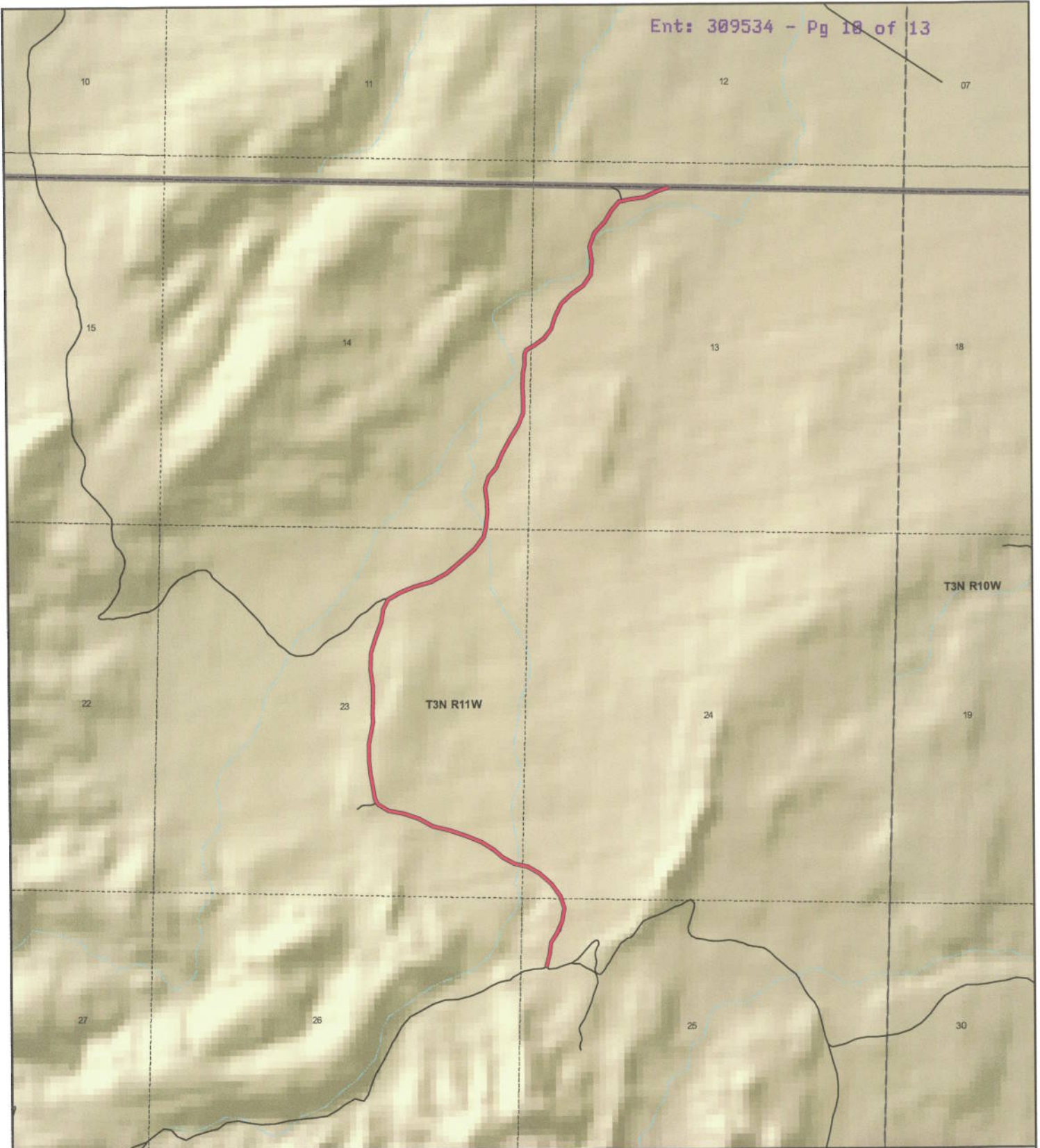
Dated this 3<sup>rd</sup> day of June, 2008.

  
GERALD E. BERTAGNOLE

SUBSCRIBED AND SWORN to before me this 3<sup>rd</sup> day of June, 2008.



  
NOTARY PUBLIC



**Tooele County**  
**Grassy Mountain N Road**  
**County Unique - tc02267**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- Military
- Tribal
- Wilderness
- State Park

**Transportation Network**

- Grassy Mountain N Road
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile



1:22,036  
 1 inch equals 0.3 miles



Map prepared by the State of Utah  
 AGRC  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Apr 21, 2008



**AFFIDAVIT OF DOUGLAS F. ANDERSON**

**GRASSY MOUNTAIN NORTH ROAD**

**COUNTY ROAD NUMBER tc02267**

**TOOELE COUNTY, UTAH**

State of Utah                                 )  
  : ss.  
County of Tooele                            )

DOUGLAS F. ANDERSON, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I was born and raised in Granstville, Tooele County, Utah and resided there from 1934 to 1952. I have resided in Salt Lake County for the past 48 years. My parents resided in Tooele County from the early 1900s to the early 1990s.

2. I have traveled and am familiar with a road in Tooele County known as Grassy Mountain North Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1960s it followed the same route as in 2007 when I last observed it. Attached is a Tooele County map showing Grassy Mountain North Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1960s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by



various means, including cars, pickups, motorcycles, and jeeps. Throughout this time period, the road has been used daily, weather permitting for more than ten continuous years prior to 1976, and was so used in 2007.

4. Throughout the time period from the late 1960s to 2007, I have used the road myself for hunting access and travel in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus government access, livestock operations and communication towers access.

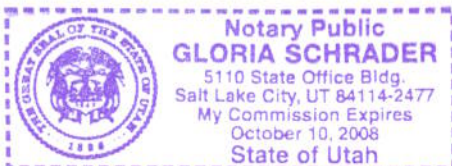
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s.

7. Prior to 1976, I observed the graded surface of the road. The road is now paved.

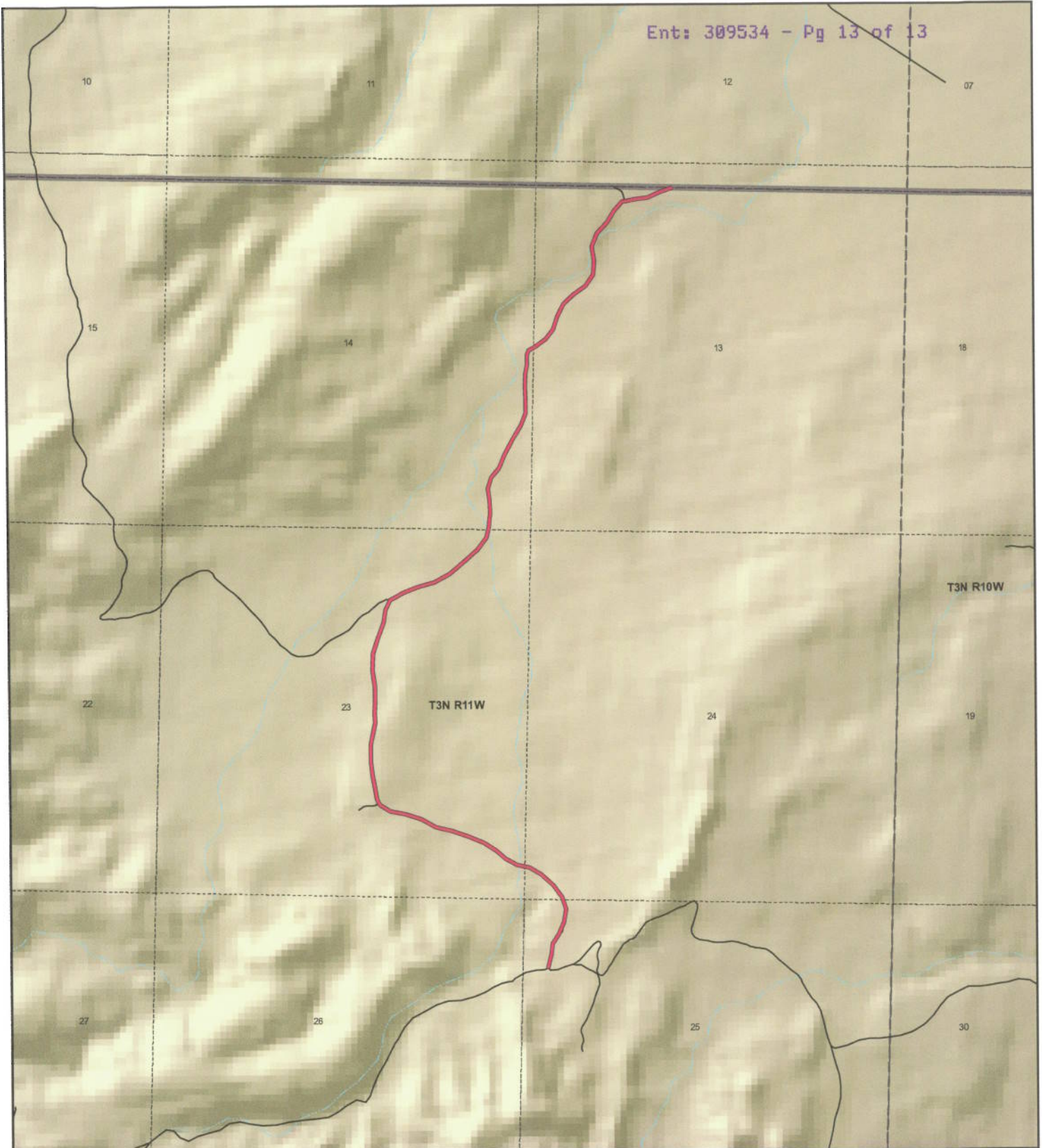
Dated this 1<sup>st</sup> day of May, 2008.

Douglas F. Anderson  
DOUGLAS F. ANDERSON

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of May, 2008.



Gloria Schrader  
NOTARY PUBLIC



**Tooele County**  
**Grassy Mountain N Road**  
**County Unique - tc02267**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- Military
- Tribal
- Wilderness
- State Park

**Transportation Network**

- Grassy Mountain N Road
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile



1:22,036  
 1 inch equals 0.3 miles



Map prepared by the State of Utah  
 AGRC  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Apr 21, 2008





## Appendix A to Attachment 4

**Popular Name: Grassy Mountain N Road**

**County: Tooele**

**County Road Number: tc02267**

**State Geographic Information Database (SGID) Road Identification Number: RD230050.**

**Road-Segment Number: 001**

**Road-Segment Length: 2.84 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 3 North Range 11 West, Section(s) 13,14,23,24,25, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Grassy Mountain N Road)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 40 degrees 58 minutes 09.07 seconds North Latitude and -113 degrees 02 minutes 046.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,213,382.1 feet and Y = 7,525,497.3 feet; thence the following courses along the said road center line:

thence North 15 Degrees 37 Minutes 41 Seconds East	75.1 feet
thence North 12 Degrees 15 Minutes 25 Seconds East	127.8 feet
thence North 05 Degrees 06 Minutes 24 Seconds East	148.3 feet
thence North 32 Degrees 09 Minutes 15 Seconds East	167.3 feet
thence North 23 Degrees 55 Minutes 22 Seconds East	183.6 feet
thence North 09 Degrees 13 Minutes 25 Seconds East	191.3 feet
thence North 18 Degrees 31 Minutes 12 Seconds West	142.9 feet
thence North 18 Degrees 32 Minutes 58 Seconds West	40.1 feet
thence North 35 Degrees 02 Minutes 48 Seconds West	207.5 feet
thence North 47 Degrees 46 Minutes 55 Seconds West	235.2 feet
thence North 60 Degrees 55 Minutes 11 Seconds West	193.6 feet



thence North 79 Degrees 17 Minutes 19 Seconds West	76.1 feet
thence North 79 Degrees 17 Minutes 00 Seconds West	120.5 feet
thence North 60 Degrees 56 Minutes 57 Seconds West	183.8 feet
thence North 48 Degrees 57 Minutes 06 Seconds West	173.7 feet
thence North 57 Degrees 52 Minutes 49 Seconds West	213.9 feet
thence North 67 Degrees 17 Minutes 06 Seconds West	242.9 feet
thence North 72 Degrees 47 Minutes 45 Seconds West	250.2 feet
thence North 75 Degrees 19 Minutes 46 Seconds West	240.5 feet
thence North 60 Degrees 56 Minutes 44 Seconds West	233.9 feet
thence North 73 Degrees 28 Minutes 53 Seconds West	231.8 feet
thence North 78 Degrees 13 Minutes 58 Seconds West	218.8 feet
thence North 59 Degrees 36 Minutes 02 Seconds West	166.9 feet
thence North 35 Degrees 30 Minutes 38 Seconds West	46.2 feet
thence North 34 Degrees 54 Minutes 51 Seconds West	17.9 feet
thence North 17 Degrees 44 Minutes 03 Seconds West	39.5 feet
thence North 10 Degrees 18 Minutes 32 Seconds West	149.9 feet
thence North 10 Degrees 46 Minutes 25 Seconds West	186.8 feet
thence North 05 Degrees 53 Minutes 06 Seconds West	211 feet
thence North 00 Degrees 30 Minutes 47 Seconds West	233 feet
thence North 10 Degrees 37 Minutes 13 Seconds East	327.6 feet
thence North 03 Degrees 51 Minutes 41 Seconds West	123.3 feet
thence North 02 Degrees 19 Minutes 24 Seconds East	175.7 feet
thence North 01 Degrees 20 Minutes 11 Seconds West	210 feet
thence North 07 Degrees 35 Minutes 02 Seconds West	239.8 feet
thence North 02 Degrees 34 Minutes 10 Seconds East	238.2 feet
thence North 15 Degrees 23 Minutes 36 Seconds East	245.5 feet
thence North 21 Degrees 26 Minutes 58 Seconds East	235 feet
thence North 08 Degrees 04 Minutes 15 Seconds East	172.5 feet
thence North 25 Degrees 03 Minutes 20 Seconds East	159.8 feet
thence North 60 Degrees 06 Minutes 00 Seconds East	59.2 feet
thence North 60 Degrees 36 Minutes 21 Seconds East	146 feet
thence North 68 Degrees 45 Minutes 47 Seconds East	220.9 feet
thence North 73 Degrees 06 Minutes 31 Seconds East	247.8 feet
thence North 62 Degrees 17 Minutes 53 Seconds East	257.1 feet
thence North 49 Degrees 09 Minutes 19 Seconds East	262.8 feet
thence North 49 Degrees 12 Minutes 06 Seconds East	263 feet
thence North 36 Degrees 19 Minutes 31 Seconds East	214.8 feet
thence North 12 Degrees 44 Minutes 05 Seconds East	120.6 feet
thence North 12 Degrees 45 Minutes 52 Seconds East	24.3 feet
thence North 07 Degrees 14 Minutes 33 Seconds East	59.6 feet
thence North 06 Degrees 18 Minutes 08 Seconds East	19.8 feet
thence North 05 Degrees 29 Minutes 48 Seconds East	135.2 feet
thence North 02 Degrees 19 Minutes 49 Seconds West	180.6 feet
thence North 08 Degrees 52 Minutes 58 Seconds West	172.5 feet
thence North 19 Degrees 22 Minutes 50 Seconds East	160.4 feet
thence North 36 Degrees 22 Minutes 24 Seconds East	182.2 feet
thence North 23 Degrees 16 Minutes 01 Seconds East	211.3 feet
thence North 27 Degrees 31 Minutes 57 Seconds East	235.7 feet
thence North 31 Degrees 30 Minutes 56 Seconds East	231.8 feet

thence North 23 Degrees 57 Minutes 49 Seconds East 194.4 feet  
 thence North 02 Degrees 15 Minutes 40 Seconds West 187.1 feet  
 thence North 02 Degrees 04 Minutes 13 Seconds West 197 feet  
 thence North 02 Degrees 54 Minutes 15 Seconds East 190.6 feet  
 thence North 09 Degrees 46 Minutes 40 Seconds East 125 feet  
 thence North 00 Degrees 45 Minutes 40 Seconds West 137.8 feet  
 thence North 18 Degrees 52 Minutes 20 Seconds East 67.8 feet  
 thence North 58 Degrees 08 Minutes 45 Seconds East 87.5 feet  
 thence North 58 Degrees 08 Minutes 58 Seconds East 50.7 feet  
 thence North 54 Degrees 26 Minutes 28 Seconds East 165.1 feet  
 thence North 37 Degrees 22 Minutes 51 Seconds East 174.3 feet  
 thence North 16 Degrees 57 Minutes 38 Seconds East 190.8 feet  
 thence North 28 Degrees 15 Minutes 02 Seconds East 198.1 feet  
 thence North 46 Degrees 48 Minutes 45 Seconds East 202.7 feet  
 thence North 52 Degrees 55 Minutes 13 Seconds East 211.3 feet  
 thence North 33 Degrees 49 Minutes 51 Seconds East 190.4 feet  
 thence North 04 Degrees 08 Minutes 37 Seconds East 192.5 feet  
 thence North 10 Degrees 18 Minutes 44 Seconds West 204.9 feet  
 thence North 19 Degrees 28 Minutes 47 Seconds East 212.8 feet  
 thence North 43 Degrees 31 Minutes 01 Seconds East 211.6 feet  
 thence North 31 Degrees 30 Minutes 10 Seconds East 199 feet  
 thence North 42 Degrees 17 Minutes 40 Seconds East 169.5 feet  
 thence North 76 Degrees 23 Minutes 20 Seconds East 58.7 feet  
 thence North 75 Degrees 58 Minutes 00 Seconds East 102.7 feet  
 thence North 84 Degrees 26 Minutes 41 Seconds East 199 feet  
 thence North 63 Degrees 20 Minutes 06 Seconds East 199.9 feet  
 thence North 70 Degrees 40 Minutes 49 Seconds East 178.7 feet more or less to **the ending**

**point at:** 40 degrees 59 minutes 59.81 seconds North Latitude and -113 degrees 02 minutes 026.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,215,139.5 feet and Y = 7,536,676.8 feet.